

June 3, 1976

H 5298

psyche were the traditions of an interdependent public and personal identity which was grounded in tolerance but bore expression within a religious framework brought from abroad.

The traditional spiritual values were freely and openly observed by any who shared them and protected from persecution by all who loved liberty.

It is that same spirit which today accounts for the religious pluralism of our country and, I feel, for the ecumenism which marks our society as unique among modern nations.

Recently, St. Paul's Episcopal Cathedral at Syracuse, N.Y., celebrated its sesquicentennial anniversary with great and solemn rites of rededication and joyful worship. As a major pillar of our community, St. Paul's has been a vital element in the spiritual tone and moral bearing of our citizenry. Even among those not members of its congregation, its influence was felt in the general conduct of business and society by those men and women of prominence who were affiliated with the church.

A news article by Peg Gram of the Syracuse Herald-Journal has outlined some of the background of this church and I would like to share some of it with you.

With the opening of the Erie Canal in 1825, Syracuse grew by leaps and bounds. Many new settlers were Episcopalian and became communicants of St. Paul's. Moses D. Burnet gave the land upon which the first St. Paul's was built. The second edifice was built at Warren and Fayette streets and dedicated July 6, 1842. The next move was to the present location at East Fayette and Montgomery streets. The new church of grey stone was finished in 1865.

The rectors of St. Paul's have been the Rev. Henry Hoswell Lockwood, who served for 32 years until his death in 1906; followed by the Rev. James E. Empringham until 1916; the Rev. Dr. Henry Harrison Hadley; the Rev. Franklin P. Bennett; the Rev. Dr. Harold L. Hutton, who served for 25 years, retiring last June. The ascendance of the church was recently marked by its designation as the cathedral church of the diocese under direction of the Rt. Rev. Ned Cole, Bishop of Central New York.

Today the cathedral is in the skillful hands of the Very Rev. William M. Hale, dean, and the leaders of Bishop Cole and the Rev. Dr. William George, canon of the cathedral.

As part of the commemorative program, the Very Reverend Harold C. N. Williams, Provost of Coventry Cathedral in England, delivered the homily and presented the Cross of Nails, a symbolic link of the Coventry congregation with that of St. Paul's.

I enclose the following record from the Syracuse Post Standard as written by Ramona Bowden, renowned religious reporter in central New York:

PRIEST EXTOLS ETERNAL TRUTHS
(By Ramona B. Bowden)

With magnificent pomp and pageantry, St. Paul's Episcopal Cathedral yesterday celebrated the sesquicentennial of its existence in this city.

Filled to capacity with members and clergy from all parts of the diocese, it was a Eucharistic service both impressive and inspiring.

With banners flying and trumpets blaring, the procession came down the center aisle, signifying the grandeur that has been

a part of the Episcopal tradition for centuries.

The high point of the service was the presence of the Very Rev. Harold C. N. Williams, provost of Coventry Cathedral in England. Provost Williams was not only the homilist, but came especially to present the Cross of Nails, a symbolic plaque linking the cathedral with Episcopal dioceses around the world.

The provost explained that the original Cross of Nails was made from hand-forged 14th century nails found among the charred beams in the rubble of the medieval Cathedral of St. Michael in Coventry, which was destroyed by German incendiary bombs in 1940 during World War II.

"The cross was formed by a young patriot who held it over the blackened rubble to which the glorious Cathedral was reduced. Implying, whether consciously or not, that if one places the cross of Christ with all its hidden meaning of forgiveness and healing over the scenes of human destruction, it follows that those who observe its meaning are committed to work for a resurrection," he said.

"That declaration of crucifixion, forgiveness and resurrection is the central rhythm of Christian life in any circumstance. Its truth is unassailable," he said.

"The central truth of this Christian proclamation should be your meditation on your 150th anniversary," declared the priest.

The provost reminded his listeners of this chaotic world, noting that the future has never appeared in such apocalyptic patterns as now. It is a time to identify the patterns that endure, he declared, pointing out that all through the Bible there is written evidence of the heroic Jewish people who, because of their steadfast faith in God, have survived persecution, captivity and the threat of annihilation.

Jesus, he noted, seemed to many of the Jews to be the long-awaited Messiah, saying that at last history has been vindicated the prophecy was true, prompting the crowds to cry, "Hosannah to the Son of David, the One promised."

The provost also asked, "Is a man compromising his religious allegiance under pressure from the hard facts of life?"

He noted that the hard facts of Jesus' day were very real—taxes, real crosses on the hill, and hanging corpses; they faced real tragedy, yet they were taught to believe in the unchanging mercy of God, he said.

"But under pressure from the hard facts of life, they found little discomfort in compromising religious truth with opportunism. So with a little demagoguery and polemics, they could inspire the crowds to cry, 'Crucify Him. He's let us down.'"

"How does this apply?" the provost asked.

"On Sunday we kneel in prayer in church, but on Monday we face the hard facts of life, economic and political advantage, the excuses we make because certain acts pay in social terms, when our uncompromising Christian integrity would not."

"Much of the character of the secular world is imposed by events, and simple folk like you and me seem impotent to do anything," he said.

"So what has the God of history of whom we are conscious as we pause after 150 years in the life of this church . . . what does this God have to say in this Babylonian confusion of tongues, in this boiling pot of hate, this arid desert of despair?" he asked.

Again he referred to the Jews surviving through centuries of efforts to exterminate them, yet through the centuries they never lost their identity, he said. Why? Because the devout Jew daily recites the prayer, "Hear, O, Israel, the Lord thy God is one, and thou shalt love Him with all thy heart." The Jew never lost his faith in the transcendence of God, he said.

"Throughout history God stands, unchanging, unchanged, holding out His never failing mercy," he said, noting the crucifixion of Jesus and the suffering of His followers against the power of the Roman Empire.

"Yet it is gone like flotsam on the tide of history. Those who were powerful are gone, but those who suffered and died live on in the great truths. He proclaimed truths about justice, mercy and forgiveness, peace and serenity of mind," the provost said.

"These truths have survived political corruption and human destructiveness, and they still shine," he declared.

"These truths still stand astride history as God does."

"It is for Christians to hold on to these truths in every level of life, so that those caught up in despair, soured by frustration or destroyed by hopelessness may regard the rock-like strength of our faith and say of us, 'Blessed is he who comes in the name of the

AMERICAN RED CROSS GUAM AID CITED

(Mr. HANLEY asked and was given permission to extend his remarks at this point, in the RECORD.)

Mr. HANLEY. Mr. Speaker, Americans are widely regarded as among the most responsive people in the world when called upon to aid a neighbor in distress. This is especially true when the help is needed by our fellow Americans in distress. Well, we have such a situation right now. Out where "America's Day Begins" there is the ruin and devastation of nature's havoc—the storm-tossed remains of towns and villages which were leveled by Typhoon Pamela's rampage of the Island of Guam.

Guam has been a U.S. possession since 1898 and a territory since 1950. Its citizens are as American as any born in Syracuse, N.Y., or Los Angeles, Calif. Though an important element in the defense structure of U.S. forces in the South Pacific, Guam is also popular as an island vacation spot, often called the Gateway of Pacific Paradise.

The scene was far different when, for 17 hours, winds up to 190 miles per hour bent the palm trees almost to the ground. Sweeping waves and lashing rains washed away roads and utilities in the harbor and in the remotest valley. In between, the storm tore through almost 80 percent of the island's residential dwellings and severely damaged \$100 million worth of military installations.

Miraculously no deaths have occurred from this storm and thanks to the efforts of the International and American Red Cross and the work of military personnel and other government agencies there is an emergency operation already in place and functioning. In fact, our colleague, A. B. WON PAT, informs me that a cleanup has begun and is progressing rapidly.

Of course, an effort to bring back the vitality and security which was the hallmark of Guam will require much more in the way of reconstruction and replacement than can be borne by the people of Guam alone. The estimates of damage place the needed economic infusion in the millions of dollars.

The American Red Cross last Thursday launched a \$5 million emergency fund drive campaign to support its work on Guam and other islands stricken by

June 3, 1976

CONGRESSIONAL RECORD — HOUSE

H 5297

temporary files being held until the moratorium is lifted.

Now that the Senate and House Select Committees have completed their fact-finding, we propose that the moratorium on the normal destruction of these intelligence and intelligence-related documents be ended.

It would be understood that no records relating to pending litigation, or to any outstanding requests for records from congressional committees, would be destroyed but rather that these records would in the normal course of business be preserved. On the other hand, we would return to prior procedures for the normal disposition and destruction of records which no longer have utility, or which have no archival value, under established records disposition schedules approved by the Archivist of the United States.

Regarding the materials provided to your Committee by the National Security Agency (NSA) on the so-called Watch List, I have instructed NSA to turn over to the Office of the Principal Deputy Assistant Secretary of Defense (Intelligence) all such materials still held by NSA. Consequently, I request that those Watch List materials which the Committee does not intend to retain be returned to the above office rather than to NSA.

A letter from Senators Mansfield and Scott rescinding their request of last January 27, 1975, would be deeply appreciated. We attach for your possible use a proposed joint declaration rescinding the request for the preservation of records, it being understood that certain essential and identified records would be preserved in any event.

Your consideration of this request will greatly assist us in the day-to-day operations of the Department of Defense.

Sincerely,

ROBERT ELLSWORTH.

Attachment.

Hon. DONALD RUMSFELD,
Secretary of Defense,
The Pentagon,
Washington, D.C.

DEAR SECRETARY RUMSFELD: Last January 27, 1975, we wrote your predecessor, Secretary Schlesinger, requesting the Department of Defense to impose an embargo on the destruction, removal, or other disposition of records relating to the inquiry to be made as a result of Senate Resolution 21, which created the Senate Select Committee to Study Intelligence Operations of the United States Government.

We are pleased that the Department responded promptly and affirmatively to our request at that time and that essential records have been preserved.

The important work of the Select Committee now being completed, it is appropriate that various elements of the Department of Defense end the moratorium on the destruction of intelligence or intelligence-related records, and that normal records disposition schedules and procedures be reinstated. It is understood that records which are of continuing interest to congressional committees, or those relating to pending litigation and other important records of archival value will be preserved.

Sincerely yours,

HUGH SCOTT,
Republican Leader,
MIKE MANSFIELD,
Majority Leader.

[From First Principles, May 1976]

ILLEGAL INTELLIGENCE PROGRAMS: NOTIFYING
THE VICTIMS

(By Wendy Watanabe and Christine
M. Marwick)

There is now an extensively documented record of illegal surveillance and harassment carried out by the intelligence community,

yet many of the victims remain unaware that they were the subjects of such programs. As a step toward remedying the effects of its own programs, the intelligence community could notify the targets of its mail openings, disruption tactics, warrantless electronic surveillances, burglaries, and other discredited programs, and advise them that they have rights under existing laws—the Freedom of Information Act provides access to files, the Privacy Act allows the amending of inaccurate and irrelevant records, and, on the basis of what is learned under these acts, victims could consider suing for damages and additional release.

Given this situation, where does the government currently stand on the question of notification?

THE CHIEF EXECUTIVE: PRESIDENT FORD

The Office of the President is apparently uninterested in the question. On October 30, 1975, the American Civil Liberties Union, the Center for National Security Studies and five other organizations sent a joint letter to President Ford requesting that he take the initiative and notify those individuals who had been victims of programs and advise them of their rights in court.

President Ford has not yet responded to the letter, nor has he publicly discussed the issue of notification.

THE DEPARTMENT OF JUSTICE: ATTORNEY
GENERAL LEVI

Attorney General Levi has been the first executive branch official to do something about the problem of notification. On April first, Levi announced the establishment of a special review committee to notify some subjects of COINTELPRO activities. Set up within the Justice Department's Office of Professional Responsibility, the "COINTELPRO Notification Program" includes the following policies:

Subjects of improper actions which may have caused actual harm should be notified; doubts should be resolved in favor of notification.

Those individuals who are already aware that they were subjects of COINTELPRO will not be notified.

In each case, the manner of notification should protect the subject's right to privacy.

Notification should be given as the work of the committee proceeds, without waiting for the entire review to be completed.

Where appropriate, the committee should refer matters to the Criminal or Civil Rights Division for disciplinary action.

No departure from these policies can be made without the express approval of the Attorney General.

CONGRESS: THE HOUSE

Rep. Bella Abzug, Chairwoman of the House Subcommittee on Government Information and Individual Rights, introduced a notice bill (H.R. 12039) on February 24, 1976 and has held hearings on the bill. In opening the hearings, she observed that the Department of Justice's decision to notify COINTELPRO victims is "far too narrow in scope and purpose"—COINTELPRO was only one of many documented programs which violated the rights of Americans. And while a notification program limited to COINTELPRO victims might be seen as an experiment, in itself it does nothing to respond to the problems of the victims of other extensive programs, such as the CIA's Operation CHAOS, illegal wiretaps, mail opening, or the IRS Special Services Staff. These latter programs are covered by the Abzug bill.

The Subcommittee took testimony from Director of Central Intelligence George Bush on April 28th. Bush opposed a notification program, maintaining that it would be impossible to identify and locate the people involved, and "simply unnecessary" because the volume of requests under the Freedom of Information and Privacy Acts indicates

that the public is already aware of its right to access. But Bush did not deal with the problem that the records contain information on many people who would not have expected a CIA file on them, or who would hesitate to open a file under the FOI/PA when the agency may not have an investigatory file on them.

The May 11th testimony from IRS Commissioner Donald C. Alexander and Deputy Assistant Secretary of Defense David O. Cooke argued that the Privacy Act amendments requiring notification were impractical, expensive, time consuming, and in conflict with existing law. Cooke also faulted the amendments for being overboard—they would open investigative files to foreign nationals and "jeopardize our intelligence efforts."

Further hearings, from witnesses favoring rather opposing notification, are planned for June 3rd.

CONGRESS: THE SENATE

The Senate Select Committee on Intelligence Activities has also advised extending Attorney General Levi's COINTELPRO notification program, and recommended in Book II of its Final Report that the government take responsibility for notifying all targets of illegal intelligence programs:

"Recommendation 90. The Freedom of Information Act (5 U.S.C. 552(b)) and the Federal Privacy Act (5 U.S.C. 552(a)) provide important mechanisms by which individuals can gain access to information on intelligence actively directed against them. The Domestic Intelligence Recommendations assume that these statutes will continue to be vigorously enforced. In addition, the Department of Justice should notify all readily identifiable targets of past illegal surveillance techniques, and all COINTELPRO victims, and third parties who had received anonymous COINTELPRO communications, of the nature of the activities directed against them, or the source of the anonymous communication to them." (Book II, p. 336)

CONCLUSION

Given what we now know about the programs of the intelligence agencies, it is a logical step for the government to assume responsibility and institute a program for accountability. Notifying the subjects of such programs is a beginning; no one should have to guess whether he or she was the object of discredited government programs.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. ALEXANDER) is recognized for 30 minutes.

[Mr. ALEXANDER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

SESQUICENTENNIAL AT ST. PAUL'S
CATHEDRAL IN SYRACUSE

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, in this period of the Bicentennial of America's Revolution, we observe the many milestones which mark military conflict and success which gradually allowed the colonists to establish an independent nation. And while there was a separatist attitude toward the political form of the colonial relationship to the British monarch, there was an abiding affinity for many of the other institutional forms which were transplanted from Europe to the New World. Especially deeply ingrained in the American lifestyle and

The OPEC nations are also determined to increase prices of the oil we import. Their goal, as with any cartel, is to increase prices as much as possible without endangering the existence of the cartel. The price of oil has nowhere else to go but up, up, up.

These certain increases in the price of crude oil will translate directly into increased gasoline prices. In other words, gasoline prices this year and next can be expected to rise at least 10 percent and probably closer to 20 percent per year. That means that the gallon of regular gas which cost 62 cents now may cost as much as 89 cents a gallon in 1978. By the autumn of 1978, we will in all likelihood be buying our last gasoline at less than \$1 a gallon. In 1979, all controls on domestic oil will be off—and domestic crude oil prices will rise to the level of foreign oil. Gasoline prices in this situation will be well over \$1.10 per gallon and going up.

Of course, there is a possibility that the average hourly wage may keep pace with increases in gasoline prices. But if income or spending power does not rise that much—we may be in serious trouble. We do not need a computer to tell of the special burdens in heavy and unnecessary gasoline consumption.

For new car buyers, the implication of higher gas prices are enormous. For example, with a new car one may have the choice between one model with an efficiency rating of 22 miles per gallon and a larger, more inefficient model with a 14 miles-per-gallon rating. In 1979, with gasoline prices over \$1 per gallon, the car buyer will be spending over \$260 in additional gasoline costs with the larger car. In the first 4 years, the larger car could cost over \$1,000 in additional gasoline alone, not to mention higher maintenance costs.

The oil price control laws were not enacted by Congress to lull the American people to complacency in the energy crisis. They were enacted to give the American people a chance to prepare and adjust to life styles which consume less energy. To those people of greater life expectancy—who expect to live in the eighties, nineties, and the new century, this planning for reduced energy consumption has become even more of a necessity. This adjustment does not mean that the quality of our life must suffer. Rather, conservation is the only way the quality of our life is certain to be extended.

Today, the purchaser of a home or a new car must include in his judgment the effects of \$1.10 per gallon of gasoline within the next 4 years.

A. J. CASTELLANI TO BE HONORED FOR DISTINGUISHED SERVICE TO CHILDREN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. LaFalce) is recognized for 30 minutes.

Mr. LaFalce. Mr. Speaker, on Saturday, June 5, 1976, Armand J. Castellani of Niagara Falls, N.Y., will receive the Michelangelo Award from Boys' Towns of Italy, Inc., for his distinguished serv-

ice to children. Mr. Castellani is one of only 10 individuals throughout the world being honored with this award in 1976, and I cannot imagine anyone more deserving of the honor.

I would like to share with my colleagues the following news article which appeared in the Buffalo Courier-Express on Sunday, May 30, 1976. The article describes in some detail the extraordinary service Mr. Castellani has provided as the benefactors of hundreds of needy boys in Italy:

BOYS' CHARITY TO HONOR A. J. CASTELLANI FOR DISTINGUISHED SERVICE TO CHILDREN

(By Rita Smith)

Armand J. Castellani of Niagara Falls, father of 11 children and benefactor of hundreds of needy boys in Italy, will receive the Michelangelo Award given by Boys' Towns of Italy Inc. for "distinguished" service to children.

Mr. Castellani is one of 10 individuals throughout the world who are being honored with the award this year. He will be presented the award, an onyx and bronze statuette, at the annual "Ball of the Year" of the Western New York Chapter, Boys' Towns of Italy Inc., on Saturday evening in the Golden Ballroom of Hotel Statler Hilton.

The affair begins with cocktails at 6, followed by dinner at 7. Rt. Rev. Msgr. John Patrick Carroll-Abbing of Rome, Italy, founder and director of Boys' Towns, will be on hand for the award presentation.

Mr. Castellani is chairman of the board and chief executive officer of Niagara Frontier Service Inc., which includes Tops Markets, B-Walk and Wilson Farm stores.

Homeless, needy boys from many countries and differing faiths are brought to the Italian Boys' Towns, located in and around Rome. They live in the towns, receive an education and training in a profession or skill so they can make worthwhile futures for themselves.

The nominating commission for the Michelangelo Award meets in Rome to decide the recipients. Its members cite individuals "of upright life, without distinction of race, nationality, social condition or religion, who have contributed in a truly outstanding fashion to the welfare of children and have also rendered notable service to the cause of the Boys' Towns of Italy."

In effect, emphasizes the commission, "they are persons who have manifested by their love for children and by their dedicated service, their faith in the universal Fatherhood of God, whereby all men are brothers."

The Michelangelo Award derives its name from a homeless, orphaned boy named Michelangelo, who Msgr. Carroll-Abbing met in Naples in 1944, when the Irish priest began his first boys' town. The youngster having the same first name as the immortal Florentine sculptor and artist, had been abandoned to the streets of Italy like countless others due to the ravages of World War II.

Msgr. Carroll-Abbing says, "By giving the name of Michelangelo to this prize to be conferred for service to children, especially to those less fortunate, it is intended to recognize the great spiritual, cultural and social talents latent in every child, talents which need the dedicated help of their elders if they are to come to light and to grow to maturity."

"He who sacrifices himself to give to less fortunate children, such as the little Michelangelo on the streets of Naples, a chance to achieve the maturity of their talents, becomes the instrument of Divine Providence by giving perhaps other Michelangelos to art and—more important still—by building upright and hardworking men who by their own life and activity, no matter how humble it may be, will contribute to their own wel-

fare and to that of their children tomorrow (and) will contribute to the betterment of the human race."

Genial Mr. Castellani one recent afternoon leaned back in the comfortable chair behind the desk in his attractive office at 60 Dingsen St., headquarters for the Western New York based food empire he heads. He talked enthusiastically about four obviously favorite subjects with him—his family, young people, the grocery business and art.

"I've been involved for the last dozen years with Boys' Towns," he commented, "because it's another youth activity and I take a lot of interest in youth activities. I have, since I started out years ago with the Niagara Falls Little League and the Niagara Falls Boys Club."

Mr. Castellani was one of the organizers and developers of that Little League. He's a great believer in providing worthwhile activities for young people.

Born in Italy, he came to the United States with his parents when he was 3-years-old. His family eventually settled in Niagara Falls.

"When I was a little fellow in the North end of Niagara Falls, he recalled, "sports activities always kept kids out of trouble. There was a lot of activity all the time. Nobody was involved in a police blotter or a drug bust."

He believes in Boys' Towns of Italy because "they prepare boys for life tomorrow. Life is competitive. If kids learn this when they are young they will learn to live with it when they get older. Boys' Towns are run like democracies and they have good, healthy leadership."

The food executive was introduced to Boys' Towns by Horace Gioia, president of Gioia Macaroni Co. Mr. Gioia is permanent Western New York chairman for Boys' Towns.

Mr. Gioia has done a great job heading the Boys' Towns' committee. He's the guy who has done the greatest job."

Mr. Castellani refers to his 11 children as "very priceless." He has seven boys and four girls. The oldest is Robert, who is 33 and the youngest is 17-year-old Anne Cecile. Robert is an attorney for his father's business.

Besides Robert there are three other Castellani sons in the family food enterprises. The second oldest son, Larry, who is 30, is co-director of operations for Tops Markets. James and Alfred are also in the food business.

Mr. Castellani proudly noted, "We have a total of 87 stores now. We're in Buffalo, Niagara Falls, Lockport, Olean, we spread out to Syracuse, Rochester, Cortland, Auburn, Canandaigua, Geneva and Bradford, Pa. Our newest store opened north of Syracuse in Fulton two weeks ago."

When he or his staff hire young people to work in the stores, "We look for two primary factors," he reported, "desire and attitude, how bad they want to get ahead and their attitude to achieve it."

"Youth today are just as responsible and even brighter than the youth of the past. These young people we hire today are good. They get promoted fast, some of the young men become managers of stores in four to five years."

Mr. Castellani started out in his father's corner neighborhood grocery store in Niagara Falls when he was 16. He was manager at 17.

"I never had a high school education," he said. "I left school when I was 16. I'm not proud of that. Kids don't know the price you have to pay for that. The school of experience is a tougher school than the academic school."

"Trial and error are very expensive when you could learn the theories and know-how cheaper and easier in school. Going to school can save you an awful lot of time in the business world—it's a short cut to success."

Today one of the most successful executives in the food business, Mr. Castellani still feels "If I had gone to high school I'd be

H 5296

CONGRESSIONAL RECORD—HOUSE

June 3, 1976

farther ahead today. The first 25 years of my business career were not too fruitful. I've been in the business 42 years."

Five of his children are married. The others are single. He and his wife, Eleanor, are extremely fond of their seven grandchildren.

"They're great," he declared.

Though he lacked a high school diploma, Mr. Castellani was able to attain a captain's rank in the U.S. Army during World War II. His business acumen and brain power were also recognized in 1964 when he received an honorary doctor of commercial science degree from Niagara University.

He is on the board of directors of the Buffalo Area Chamber of Commerce, the United Way of Buffalo & Erie County and the Philharmonic Orchestra Society.

Two years ago he had a heart attack. "It's slowed me down to a walk," he said good-naturedly, adding, "But I still put in 40 hours a week."

As for retirement, "I've got a few more years to go" he said. "Then I'll have the art world to become more active in."

Collecting art, particularly by well-known contemporary artists, is his hobby.

"Art is not a rich man's hobby," he pointed out, "You can get very good lithographs for \$25 today. There's a lot of good art around that isn't expensive."

So that other people in the community can become more interested in art or just add to their enjoyment of art, he was instrumental in Niagara Frontier Services opening two art galleries. One is the Brian Art Galleries in the Hilton Hotel in Niagara Falls. The other is in Tops Plaza, Transit and Maple, Amherst.

The Amherst one is currently celebrating its grand opening, featuring the works of Boulanger and Cossyro.

Tickets to the Boys' Town of Italy ball are \$125 per couple and the affair is open to the public. It's formal. Anyone who wants tickets can call Mr. Giola at 873-8600.

General chairmen are Mr. and Mrs. Burt P. Flickinger Jr. Associate chairmen are Mr. and Mrs. Ronald L. Offhaus.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. BINGHAM) is recognized for 5 minutes.

[Mr. BINGHAM addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

CIA ABOUT TO DESTROY FILES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Ms. ABZUG) is recognized for 15 minutes.

Ms. ABZUG. Mr. Speaker, I am deeply disturbed that we may be about to witness the destruction by the intelligence agencies of records of their misdeeds and blunders—making it impossible to evaluate those agencies' activities.

I insert in the Record below a letter released today by the minority leader of the Senate, HUGH SCOTT. The letter is dated June 2, 1976, and is from the Director of the Central Intelligence Agency, George Bush. Mr. Bush asks that the Senate leadership lift the present moratorium on the destruction of intelligence-related documents so that the CIA may destroy "records which were collected and maintained by the Agency and which were subject to investigation by the Rockefeller Commis-

sion and the (Senate) Select Committee."

The CIA's proposed destruction plans are so broad, that they would include the destruction not only of documents inspected by Select Intelligence Committee investigators "on loan" and returned to the CIA, but documents "subject to investigation" which in fact were never examined by congressional investigators.

The CIA has an additional self-interest in destroying these documents. A number of cases brought by civilians spied upon by the Army in the late sixties were thrown out of court for lack of evidence because the Defense Department had destroyed files in 1971. Similarly, CIA might avoid litigation by destroying the basis of potential suits.

I also insert a letter dated April 23, 1976, from The Deputy Secretary of Defense to Senator Church on this subject.

The Government Information and Individual Rights Subcommittee, which I chair, is presently considering my bill, H.R. 12039. This measure would require that those who were the subjects of such programs as the FBI's COINTELPRO, the CIA's CHAOS, FBI and CIA burglaries and mail openings, National Security Agency cable interceptions, and the Special Service Staff of the IRS be notified that they were subjects and have files, told of their rights under the Freedom of Information Act and the Privacy Act, and afforded the option of having the illegally gathered information destroyed.

George Bush, Director of the CIA, is well aware of our active consideration of this legislation, since he testified on it before the subcommittee only a few weeks ago. Mr. Bush, anxious to have the CIA's unlawful activities dead, buried, and forgotten as soon as possible, wants to destroy the records of such programs as CHAOS, mail opening, and burglaries without any notification to the subjects. Apparently fearful that Congress will perform its legislative functions under the Constitution and enact the notification legislation, Mr. Bush has asked Senators MANSFIELD and HUGH SCOTT to lift the moratorium on records destruction that was instituted when the Senate Select Committee on Intelligence began its investigation. Of course, Mr. Bush knows full well that if he goes ahead with his plans, a notification law will be moot as to the CIA, and the CIA's victims will never know of their status as such.

This attempted end run will, if successful, wholly subvert the purpose of H.R. 12039 and the entire legislative process. I might add that it will hardly do a great deal to restore public confidence in the CIA in particular or the executive branch in general.

Instead of destroying the evidence in the dead of night, the CIA should—for once—trust to the constitutional processes of this Nation and allow the elected representatives of the people to work their will. To do otherwise will only reinforce the popular image of the agency as a secret and lawless entity.

The text of Mr. Bush's letter to Senator SCOTT, the Defense Department let-

ter, and a relevant article from the May issue of First Principles follow:

CENTRAL INTELLIGENCE AGENCY,
Washington, D.C., June 2, 1976.

Hon. HUGH SCOTT,

U.S. Senate, Office of the Minority Leader,
Washington, D.C.

DEAR MR. SCOTT: On January 27, 1975, following adoption of S. Res. 21 creating the Select Committee on Intelligence, you and Senator Mike Mansfield requested that the Central Intelligence Agency "not destroy, remove from [its] possession or control, or otherwise dispose or permit the disposal of any records or documents which might have a bearing on the subjects under investigation, including but not limited to all records or documents pertaining in any way to the matters set out in section 2 of S. Res. 21."

In response to this request, the Agency placed in effect a complete moratorium on the destruction of records, including normal administrative records scheduled for routine destruction.

The purpose of this letter is to advise you that it is our intention to proceed with destruction of records, now that the Select Committee has completed its investigation and issued its final report. We have so advised Senator Church.

Along with the backlog of routine administrative records, the Agency will destroy records which were collected and maintained by the Agency and which were subject to investigation by the Rockefeller Commission and the Select Committee. The Agency is required to destroy much of this latter material by the Privacy Act of 1974 (P.L. 93-579) and by Executive Order 11905. Of course, all records destruction will be fully consistent with other applicable laws, Presidential directives, and the requirements of pending litigation and Justice Department investigations.

I trust you agree that this action is now necessary and appropriate, and I would appreciate your confirmation of this understanding.

I am sending a duplicate of this letter to Senator Mike Mansfield.

Sincerely,

GEORGE BUSH,
Director.

THE DEPUTY SECRETARY OF DEFENSE,
Washington, D.C., April 23, 1976.

Hon. FRANK CHURCH,

U.S. Senate,
Washington, D.C.

DEAR SENATOR CHURCH: Last January 27, 1975, Senators Mansfield and Scott, in their capacities as Majority and Minority Leaders, wrote to the Secretary of Defense requesting that Department of Defense components not destroy, remove from their possession or control or otherwise dispose of any records which conceivably might relate to the subject matter of Senate Resolution 21, establishing the Senate Select Committee.

As you are aware, the Secretary of Defense immediately responded to this request by placing a strict moratorium on the destruction of a wide range of intelligence or intelligence related, counterintelligence and investigative records. This resulted, we believe, in the preservation of all essential records of interest to the Senate and House Select Committees. However, it has also resulted in our accumulation of a vast body of extraneous material and records which ordinarily would have been disposed of under normal records disposition schedules. For example, the moratorium has had the unfortunate result of investigative files on applicants for employment being retained in excess of the one year period ordinarily applied to such files when an applicant is not appointed. There are numerous other examples of various kinds of transitory material and